

REMARKS

In the Final Rejection a prior rejection under Section 101 was withdrawn, however, a rejection under Section 102 was maintained on the basis that a Rule 132 declaration as submitted was insufficient on its terms to overcome the rejection based on the Bjornson, et al., WO 99/45488 reference.

In a brief telephone conversation on April 27, 2005, the Examiner indicated that the insufficiency of the prior Rule 132 resulted from the failure to state that the present applicant was the sole inventor of the relevant subject matter of the WO 99/45488 reference.

A restated Rule 132 declaration is enclosed herewith. In this declaration, applicant declares that he is the sole inventor of the relevant subject matter of the WO 9945488 reference.

Pursuant to the telephone conversation with the Examiner it is understood that a declaration in the form now presented is sufficient to overcome the outstanding rejection and place the application in condition for allowance.

Entry and consideration of this response and the Rule 132 Declaration submitted herewith, and removal of WIPO Publication No. WO 99/45488 from consideration, are respectfully requested.

Reconsideration of the outstanding rejection and allowance of claims 81-88 and 132-145 as previously amended, are requested. This application is considered to be in

condition for allowance, which action is respectfully solicited.

Respectfully submitted,



Kenneth P. Robinson
Attorney for Applicant

May 16, 2005

Reg. No.: 20,056
Tel. No.: (631) 385 3255

474 New York Avenue
Huntington, NY 11743

Enc.

Note: Also enclosed are copies of the Power of Attorney and Revocation of prior power of attorney forms as filed in this application on February 3, 2003. Please address further correspondence to the above-signed Attorney for Applicant.